1: Hocart Y-5 (ca. 1920) 1929 OQ6 Lau OQ6
Lakemba

LAND AND PROPERTY

Title of land is a very delicate subject, consequently my information is scanty and unsystematic. Land which was once freely given away, has now become most valuable on account of the price of copra. To put an end to the quarrels that arose out of land, the Government appointed a Lands Commission to settle the claims. But the method of public inquiry so well adapted to the outspoken British temperament, is quite unsuited to a people who will on no account contradict a chief or a person of quality, and whose great weakness, as they themselves acknowledge, is "Fijian shame" (*mandua vakaviti*), an unconquerable aversion to haggling, disputing, or of saying no to a kinsman.

The lands in the valleys (*soso*) are held in common by the clan; any member of the clan can plant in clan lands without leave, but a stranger may not.

The lands on the coast formerly belonged to the "sides of the oven." The rents on certain leases are still paid to the "side of the oven." In the reign of Taliai Tupou, Maafu the Tongan, who virtually ruled Lau, divided the land individually among all the adults; those who were children at the time received no land, so they shared that of the father or brother. The eldest controls (*lewa*) the land, arranging about the planting, deciding where each brother should have his garden, and directing the work. Land is held in common also by more distant kinsmen, but under the control of one man.

It is not true then to say that there is individual ownership of property in Lau. The only result of the division has been that the land instead of being held in common by the clan, is now held in common by groups each representing descendants of one who was adult at the time of the division.

It is vain to look for definite rules of succession or any other acquirement of land. A clan forms one vast family where land matters are "discussed as between kinsmen"; and there is much begging, and conceding. It often happens that a man cannot tell why a certain man holds a piece of land, because it is a private arrangement. Nor can they always say what will become of the land after the owner's death.

Adopted children do not inherit land unless there are no offspring. The heirs may, however, decide to let the adopted child get land.

Women do not own land. The son-in-law of the only survivor of Tuware had to bring presents to his father-in-law in order to have permission to take his land. The head of a clan held that it would be right for him to provide land for a spinster or the wife of a man of another clan if she were a widow, for widows return to their clan. Women can, however, get land by

2: Thompson E-5 (1933-1934)1940 OQ6 Lau OQ6
Kambara

usually considered members of his mother's clan. As a rule a woman belongs to the clan of her father although after marriage she lives and functions with her husband's clan.

ADOPTION

Widows (*ndawai*), orphans (*luve ni yalo*, literally child of the ghost), and illegitimate children (*luve ni sala*, literally child of the path) are transferred from one clan to another by means of the adoption (*lakovi*) ceremony, a form of affinal exchange.

A widow usually returns to her own people. When her husband dies, her brother or a ranking member of her clan presents a whale's tooth or other property, by means of the usual presentation ceremony, to the clan of her husband with the request that the woman be allowed to return to her clan. This is called *lakovi*. If the property is accepted the widow is free to return. She usually takes at least some of her children with her. These children must also be formally transferred from the clan of their father to that of their mother, by means of the adoption ceremony. If both of a child's parents die, his mother's clan may adopt the child. Frequently, however, the father's clan retains the boys. A child adopted into his mother's clan still belongs theoretically to his father's clan, although he functions with that of his mother, for the adoption ceremony does not affect a man's clan membership, which is fixed by the rule of descent. It marks the transfer of an individual from one clan to another, and the clan losing a member is compensated for its loss by gifts of property from the clan receiving a member.

ILLEGITIMATE CHILDREN

Children born out of wedlock are numerous in Lau. According to the natives, illegitimate children formerly had a definite status in the community and were not considered undesirable. They were usually reared in the clan of their mother under the guardianship of the maternal grandfather. Although theoretically they belonged to the clan of their father, they had to be formally adopted into it by means of the adoption ceremony in order to become active members. A child then enjoyed all the rights of full membership in his father's clan. He inherited a share in the clan lands, as did the legitimate sons, and exercised the rights of a *vasu* to his mother's people.

Since the coming of the missionaries, the attitude toward illegitimate children has changed. A child born out of wedlock is not allowed to be baptized in the mission church. He may be baptized, however, in the house where the mother lives. An unmarried, pregnant woman becomes the subject of village gossip, and members of the community who have been strongly influenced in their behavior patterns by the mission show their disapproval by ignoring the birth feast, to which the whole village is invited. An illegitimate child is still considered a member of his father's clan, but today he is not accepted to full membership in the clan and is not allowed to inherit clan land.